

**UNITED STATES DISTRICT COURT
DISTRICT OF NEBRASKA**

EXMARK MANUFACTURING CO., INC.,

Plaintiff,

v.

BRIGGS & STRATTON CORP.,

Defendant.

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Civ. Action No. 8:10-cv-00187-JFB

**BRIGGS & STRATTON CORP.'S
MOTION FOR LEAVE TO FILE DOCUMENT AS RESTRICTED**

Pursuant to Nebraska Civil Rule 5.3(c), Defendant Briggs & Stratton Corp. (“Briggs”) respectfully moves this Court for leave to file as restricted its Reply Brief to Exmark’s Response to Supplemental Brief in Support of Briggs & Stratton Corp.’s Motions *in Limine* Nos. 4 and 5 (“Reply Brief”).

In support of this motion, Briggs states as follows:

1. The Reply Brief quotes from or otherwise relies extensively upon information that has been designated “Confidential” and/or “Attorneys’ Eyes Only” under the Protective Order in this matter.
2. Redaction is not a feasible option to eliminate or reduce the need for restricting access, as the confidential information is pervasive within the Reply Brief and Briggs is not in a position to determine what information Exmark would prefer to have redacted.
3. Filing the Reply Brief as Restricted is necessary to fully protect the content of the confidential information.

WHEREFORE, Briggs respectfully requests leave to file as restricted Briggs's Reply Brief to Exmark's Response to Supplemental Brief in Support of Briggs & Stratton Corp.'s Motions *in Limine* Nos. 4 and 5.

Respectfully submitted on December 6, 2018 by:

BRIGGS & STRATTON CORP.

By its attorneys,

/s/ John P. Passarelli

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CERTIFICATE OF SERVICE

I hereby certify that on December 6, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all parties of record.

/s/ John P. Passarelli

John P. Passarelli, Attorney No. 16018